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## NOTICE OF ALLOWANCE AND FEE(S) DUE

7590

08/08/2008

INTELLECTUAL PROPERTY LAW DEPARTMENT  
SQUARE D COMPANY  
1415 SOUTH ROSELLE ROAD  
PALATINE, IL 60067-7399

EXAMINER

JACOBS, LASHONDA T

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 08/08/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/824,493	04/02/2001	Timothy G. Curray	SPL-32	9371

TITLE OF INVENTION: ETHERNET COMMUNICATIONS FOR POWER MONITORING SYSTEM

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	11/10/2008

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

**HOW TO REPLY TO THIS NOTICE:**

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail Stop ISSUE FEE**  
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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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7590                    08/08/2008

**INTELLECTUAL PROPERTY LAW DEPARTMENT**  
**SQUARE D COMPANY**  
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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

### **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)

(Signature)

(Date)

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09/824,493	04/02/2001	Timothy G. Curray	SPL-32	9371

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APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	11/10/2008

EXAMINER	ART UNIT	CLASS-SUBCLASS
JACOBS, LASHONDA T	2157	709-208000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 \_\_\_\_\_  
2 \_\_\_\_\_  
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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent):  Individual  Corporation or other private group entity  Government

4a. The following fee(s) are submitted:

- Issue Fee  
 Publication Fee (No small entity discount permitted)  
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4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- A check is enclosed.  
 Payment by credit card. Form PTO-2038 is attached.  
 The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.  b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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PALATINE,, IL 60067-7399				PAPER NUMBER
				2157
				DATE MAILED: 08/08/2008

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 850 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 850 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/824,493	CURRAY ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	

LASHONDA T. JACOBS  
2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to amendment filed on June 27, 2008.
2.  The allowed claim(s) is/are 1-5,7,9-16,19,20,22-24,26-30 and 38.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
 of the:
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

/LaShonda T Jacobs/  
Primary Examiner, Art Unit 2157

#### **EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Stephen Rudisill (Reg. No. 20,087) on August 1, 2008.

#### **IN THE CLAIMS**

Please cancel claims **21** without prejudice or disclaimer.

Please amend claims **1, 2, 3, 4, 5, 7, 9, 10, 11, 12, 13, 14, 15, 17, 24, 28** and **38** as follows:

1. (Currently Amended) A power monitoring system including multiple power monitoring devices; and an Ethernet communication device operative within at least a selected one of said power monitoring devices, said Ethernet communications device including:

a pair of on-board Ethernet ports for connecting said Ethernet communication device and said selected power monitoring device to an Ethernet via either twisted pair wires or optical fiber, said Ethernet ports comprising a single physical interface chip capable of supporting dual physical Ethernet media types;

an on-board serial port for connecting said Ethernet communication device and said selected power monitoring device to others of said power monitoring devices connected in a daisy chain;

a processor coupled to both said Ethernet ports and to said serial port for controlling communications via said Ethernet ports and said serial port; and

a Hypertext Transfer Protocol (HTTP) server operating on said processor for dynamically gathering, formatting and verifying real-time information from both said selected power monitoring device and said other power monitoring devices connected to said serial port in a daisy chain, for communicating with an internet browser, and for accessing Hypertext Markup Language (HTML) pages.

2. (Currently Amended) The system of claim 1 wherein said processor is ~~further capable of functioning functions~~ as both a master device and a slave device.

3. (Currently Amended) The system of claim 2 wherein said processor and said slave device are coupled, by said serial port, in a daisy chain and wherein said Ethernet communications device ~~is capable of using uses~~ any of a plurality of protocols for either full duplex or half duplex communications, including SyMax, Modbus and Jbus.

4. (Currently Amended) The system of claim 1 wherein said HTTP server operates for sending data to a browser for dynamically formatting and verifying real-time data gathered by said processor and communications interfaces using JavaScript and VB script.

5. (Currently Amended) The system of claim 1, further including a web browser ~~capable of for~~ accessing said HTTP server and at least one processor in communication with said HTTP server, said web browser generating a login, and said processor responding to said login by generating an access token for said web browser for permitting access by said web browser for a predetermined amount of time.

7. (Currently Amended) The system of claim 1 wherein Ethernet communications device comprises a fast Ethernet transceiver which provides a media independent interface for attachment to a 10/100 media access controller, and ~~capable of~~ directly drives an RJ45 interface through magnetics and termination resistors and also provides a pseudo-ECL interface for use with 100Base Fx fast fiber transceivers.

9. (Currently Amended) An industrial power metering system comprising:  
multiple power monitoring devices; and  
an Ethernet communications device within at least a selected one of said power monitoring devices;  
said Ethernet communications device including  
a pair of on-board Ethernet ports for connecting said Ethernet communications device and said selected power monitoring device to an Ethernet via either twisted pair wires or optical fiber,  
an on-board serial port for connecting said communications device and said selected power monitoring device to others ~~of~~ said power monitoring devices connected in a daisy chain;  
a processor coupled to both said Ethernet ports and to said serial port for controlling communications via said Ethernet ports and said serial port; and  
a Hypertext Transfer Protocol (HTTP) server operating on said processor for dynamically gathering, formatting and verifying real-time information from both said selected power monitoring device and said other power monitoring devices connected to said serial port in a daisy chain, for communicating with an internet browser, and for

accessing HTML pages, including custom HTML pages stored in the selected power monitoring device.

10. (Currently Amended) The system of claim 9 wherein said processor further ~~capable of functioning~~ functions as a slave device.

11. (Currently Amended) The system of claim 9 wherein said Ethernet communications device is ~~capable of using~~ uses any of a plurality of protocols for either full duplex or half duplex communications, including SyMax, Modbus and Jbus.

12. (Currently Amended) The system of claim 9 wherein said ~~web~~ HTTP server operates for sending data to a browser for dynamically formatting and verifying real-time data gathered by said processors and communications interfaces using JavaScript and VB script.

13. (Currently Amended) The system of claim 9 and further including a web browser ~~capable of~~ accessing said HTTP server, said web browser generating a login, and said processor responding to said login by generating an access token for said web browser for permitting access by said web browser for a predetermined amount of time.

14. (Currently Amended) The system of claim 9 wherein said Ethernet ports comprise a single physical interface chip ~~capable of~~ supporting dual physical Ethernet media types.

15. (Currently Amended) The system of claim 14 wherein said Ethernet ports comprise a fast Ethernet transceiver which provides a media independent interface for attachment to a 10/100 media access controller, and ~~is capable of~~ directly drives an RJ45 interface through magnetics and termination resistors and also provides a pseudo-ECL interface for use with 100Base Fx fast fiber transceivers.

17. (Currently Amended) An Ethernet communications method for a power monitoring system, said method comprising:

monitoring an electrical power distribution system with multiple power monitoring devices at least a selected one of which contains an Ethernet communications device having (1) a pair of on-board Ethernet ports for connecting said Ethernet communications device and said selected power monitoring device to an Ethernet via either twisted pair wires or optical fiber, (2) an on-board serial port for connecting said Ethernet communications device and said selected power monitoring device to others ~~of said~~ power monitoring devices connected in a daisy chain, and (3) a processor coupled to both said Ethernet ports and to said serial port for controlling communications via said Ethernet communication ports and said serial port; and

dynamically gathering, formatting, verifying and communicating real-time information from both said selected power monitoring device and said other power monitoring devices connected to said serial port in a daisy chain, in a format useable by Hypertext Markup Language (HTML) pages, under the control of said processor and using a Hypertext Transfer Protocol (HTTP) server ~~capable of~~ communicating through both said Ethernet ports and said serial port, accessing said HTTP server via a web browser and generating a login, said processor responding to said login by generating an access token for said web browser for permitting access by said web browser for a predetermined amount of time, and accessing HTML pages, including custom HTML pages stored in the selected power monitoring device, via said HTTP server.

24. (Currently Amended) An electrical power monitoring method comprising:

monitoring an electrical power distribution system with multiple power monitoring devices at least a selected one of which contains an Ethernet communications device having (1) a pair of on-board Ethernet ports for connecting said Ethernet communications device and said selected power monitoring device to an Ethernet via either twisted pair wires or optical fiber, said Ethernet ports comprising a single physical interface chip ~~capable of~~ supporting dual physical Ethernet media types, (2) an on-board serial port for connecting said communications device and said selected power monitoring device to others ~~of~~ ~~said~~ power monitoring devices connected in a daisy chain, and (3) a processor coupled to both said Ethernet ports and to said serial port for controlling communications via Ethernet ports and said serial port; and dynamically gathering, formatting, verifying and communicating real-time information from both said selected power monitoring device and said other power monitoring devices connected to said serial port in a daisy chain, in a format usable by HTML pages, under the control of said processor and using a Hypertext Transfer Protocol (HTTP) server ~~capable of~~ communicating through both said Ethernet ports and said serial port.

28. (Currently Amended) The method of claim 24, in which said HTTP server is accessed from a web browser, said web browser generating a login, and said HTTP server responding to said login by generating an access token for said web browser for permitting access by said web browser for a predetermined amount of time.

38. (Currently Amended) An Ethernet communications card apparatus for a power monitoring system that includes multiple power monitoring devices, said Ethernet communications card being insertable within at least a selected one of said power monitoring devices and comprising:

a pair of on-board Ethernet ports for connecting said Ethernet communications device and said selected power monitoring device to an Ethernet via either twisted pair wires or optical fiber, said Ethernet ports comprising a single physical interface chip ~~capable of~~ supporting dual physical Ethernet media types, and including a fast Ethernet transceiver which provides a media independent interface for attachment to a 10/100 media access controller, and ~~is capable of~~ directly drives an RJ45 interface through magnetics and termination resistors and also provides a pseudo-ECL interface for use with 100Base Fx fast fiber transceivers;

an on-board serial port for connecting said Ethernet communications device and said selected power monitoring device to others ~~of~~ said power monitoring devices connected in a daisy chain;

a processor coupled to both said Ethernet ports and to said serial port for controlling communications via said Ethernet ports and said serial port;

a Hypertext Transfer Protocol (HTTP) server operating on said processor for dynamically gathering, formatting and verifying real-time information from both said selected power monitoring device and said other power monitoring devices connected to said serial port in a daisy chain, for communicating with an internet browser, and for accessing HTML pages, including custom HTML pages stored in the selected power monitoring device, said Ethernet communications device ~~being capable of~~ using any of a plurality of protocols for either full duplex or half duplex communications, including SyMax, Modbus and Jbus, said HTTP server ~~being capable of~~ for sending data to a browser for dynamically formatting and verifying real-time data using JavaScript and VB script; and

a web browser for accessing said HTTP server and generating a login, and said processor responding to said login by generating an access token for said web browser for permitting access by said web browser for a predetermined amount of time.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LaShonda T. Jacobs whose telephone number is 571-272-4004. The examiner can normally be reached on 8:30 A.M.-5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/LaShonda T Jacobs/ Primary Examiner, Art Unit 2157

ltj  
August 1, 2008

Application/Control Number: 09/824,493  
Art Unit: 2157

Page 10